IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 29800 of 2007(V)

PETITIONER:

AYISHA K.C.,
PALEERIPARA HOUSE, UZHUKUR P.O.,
MONGAM (VIA), MALAPPURAM.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL

RESPONDENTS:

1. KERALA PUBLIC SERVICE COMMISSION,
   REPRESENTED BY ITS SECRETARY, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DIRECTOR,
   HIGHER EDUCATION, THIRUVANANTHAPURAM.

3. STATE OF KERALA,
   REPRESENTED BY ITS SECRETARY,EDUCATION DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

SHRI.ALAXANDER THOMAS, SC.
G.P. SHRI.M.R.SREELATHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 8.10.2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.29800 of 2007

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Dated this the 8th day of October, 2007

J U D G M E N T

The petitioner has passed B.A., M.A., and State Eligibility Test in Economics, and B.Ed. in English. She applied for the post of Higher Secondary School Teacher (Social Studies) in Government service. PSC rejected her candidature on the ground that she is not qualified for the post. Obviously, this is based on the fact that the petitioner's B.Ed. is in English and the post is of Higher Secondary School Teacher (Social Studies). The qualification for the post is B.Ed. in the concerned subject. The concerned subject is Social Studies and not English. The petitioner possesses B.Ed. in English. Therefore, obviously, she is not qualified for the post. Petitioner's contention is that formerly persons holding B.Ed. in Social Studies were permitted to teach English and vice versa and therefore, the petitioner should be treated as qualified. That is no ground for permitting those who

have qualified in English to teach Social Studies since the field is now covered by Special Rules which stipulate that the B.Ed. qualification should be in the concerned subject. The concerned subject is Social Studies and not English. Therefore, I do not find any merit in this writ petition and accordingly, the same is dismissed.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.